

RECEIVED
CENTRAL FAX CENTER

AUG 28 2006

FITZPATRICK, CELLA, HARPER & SCINTO650 Town Center Drive
Suite 1600
Costa Mesa, California 92626-7130
(714)540-8700
Facsimile:(714)540-9823**FACSIMILE COVER SHEET**

TO:	Examiner: Wilson Lee Group Art Unit: 2163		
FROM:	John D. Magluyan, Reg. No. 56,867		
RE:	U.S. Application No. 10/695,915 Attorney Docket No. 03581.008900.		
FAX NO.:	(571) 273-8300		
DATE:	August 28, 2006 (Monday)	NO. OF PAGES:	4
		<small>(including cover page)</small>	
TIME:	12:50 p.m.	SENT BY:	Charise

MESSAGE

Attached are the following papers for the above-identified application:

1. Response To Restriction Requirement.

I hereby certify that this correspondence is being facsimile transmitted via facsimile to the U.S. Patent and Trademark Office at (571) 273-8300, on:

August 28, 2006

(Date of Deposit)

John D. Magluyan, Reg. No. 56,867

(Name of Attorney for Applicant)


Signature

August 28, 2006

Date of Signature

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 714-540-8700 AS SOON AS POSSIBLE.****Note:** We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

AUG 28 2006

03581.008900.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Wilson Lee
NILESH PATHAK, et al.)	
	:	Group Art Unit: 2163
Application No.: 10/695,915)	
	:	
Filed: October 30, 2003)	
	:	
For: E-MAINTENANCE SYSTEM)	August 28, 2006 (Monday)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated July 27, 2006, Applicants hereby provisionally elect to prosecute the Group II claims, namely Claims 41 to 81. The Restriction Requirement is, however, traversed.

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office at (571) 273-8300, on:

August 28, 2006
(Date of Transmission)

John D. Magluyan, Reg. No. 56,867
(Name of Attorney for Applicants)


Signature

August 28, 2006
Date of Signature

Traversal is on the ground that there would not be undue burden in examining two groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.


Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Regarding a formal matter, it is respectfully requested for the Examiner to indicate that the art cited in the Information Disclosure Statement dated December 18, 2003 has been considered.

In addition, it is respectfully requested for the Examiner to acknowledge receipt of the United Kingdom priority application filed in this case on October 29, 2003.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


John D. Magluyan
Attorney for Applicants
Registration No.: 56,867

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 118027v1